



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 217	Assembly Substitute Amendment 1
Memo published: September 5, 2001 Contact: Russ Whitesel, Senior Staff Attorney (266-0922)	

Assembly Bill 217, as originally introduced, allowed a manufacturer or rectifier to sell, or provide free taste samples, directly to consumers, for consumption on or off the premises where sold, intoxicating liquor that is manufactured or rectified on the premises, if the intoxicating liquor is manufactured or rectified exclusively from fermented fruit juice such as brandy. Intoxicating liquor made from or containing grain may not be sold under this specific exception.

Assembly Bill 217 requires that the licensed person or person possessing an operator's license or manager's license be on the premises whenever such sales are made. The bill also allowed the Department of Revenue to regulate sales under this exception, but the regulations must be consistent with the requirements that apply to "Class B" licensees, that is, persons licensed to sell intoxicating liquor to be consumed on the premises, such as taverns.

The Assembly State Affairs Committee, at an executive session on August 28, 2001, voted to **introduce Assembly Substitute Amendment 1** to 2001 Assembly Bill 217 on a vote of Ayes, 5, Noes, 1. The committee voted to recommend **passage** of the substitute amendment on a vote of Ayes, 4, Noes, 2.

Assembly Substitute Amendment 1 makes the following changes in the original legislation:

1. A permittee may not make any sales for consumption **on the premises**; sales must be for consumption off of the premises where the product is sold.
2. A permittee may only provide taste samples between the hours of **10:00 a.m. and 7:00 p.m.**
3. No permittee may provide more than **three separate taste** samples per day to any one person, and each taste sample **may not exceed one-half fluid ounce**. The taste samples must be provided free of any **direct or indirect** charge.

4. No permittee may provide taste samples under the legislation to any underage person.

5. The legislation only applies to a permittee that annually produces no more than 25,000 liters of intoxicating liquor manufactured or rectified exclusively from fermented fruit juice on the premises covered by the permit.

The substitute amendment makes no other changes in the original legislation.

RW:wu:ksm:tlv;rv